

## REMARKS

### INTRODUCTION:

In accordance with the foregoing, claims 1, 17, and 33 have been amended and claim 18 has been cancelled. New claims 35-38 have been added. Support for the claim amendments and new claims may be found at paragraphs [0029], [0030], [0031], [0054], and [0057] and [0059], and thus no new matter is being presented. Entry is respectfully requested.

Claims 1-17, and 19-38 are pending and under consideration. Claims 1, 17 and 33 are independent claims.

### REJECTIONS UNDER 35 USC 102 and 103:

Claims 1-3, 10-11, 14-19, 21, 22, 24-29, and 32 stand rejected under 35 U.S.C. §102(b) as being anticipated by Ueda et al., (US 6,314,064 – hereinafter Ueda). Claims 4, 6-7, 9, 23, 33, and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ueda. Claims 5, 8, 12, 13, 30, and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ueda and further in view of Nagashima et al., (US 6,304,526 – hereinafter Nagashima). Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ueda and further in view of in view of the Description of the Related Art of the Specification.

Applicants traverse these rejections and respectfully request reconsideration.

Amended independent claim 1 recites at least:

a plate-type beam splitter which transmits and reflects the second and third light beams in a predetermined ratio

Ueda and Nagashima, taken separately or in combination, fail to suggest or disclose at least the above-recited features of independent claim 1.

Ueda illustrates and describes laser coupler 31 as having:

unified light emitting and light receiving elements for radiating two sorts of the laser light having different wavelengths and for receiving the reflected laser light from the first and second optical discs 6, 7, a collimator lens 32 for collimating the laser light radiated from the laser coupler 31, a hologram element 33 for diffracting part of the laser light transmitted through the collimator lens 32 and an objective lens 34 for focussing [sic] the laser light transmitted through the hologram element 33 on the signal recording surfaces of the first and second optical discs 6, 7 (Ueda, at col. 5, lines 35-40, and FIG. 1)..

Ueda does not suggest or disclose the above recited features as being included in laser coupler 31, or elsewhere.

Nagashima is directed to an optical head having two object lenses 3a, 3b, fixed to a lens holder 4, to serve as means for condensing a light beam 11. Nagashima describes and illustrates beam splitter 6 (*Nagashima*, at col. 5, lines 41-42 and FIG. 1). However, beam splitter 6 is described as splitting a single light beam emitted from laser diode 14 (*Id.* at col. 5, lines 35-42). Nor is beam splitter 6 described as “a plate-type beam splitter.” Therefore, Nagashima fails to suggest or disclose the above recited features.

Accordingly, Applicants respectfully submit that independent claim 1 patentably distinguishes over the cited reference, and should be allowable for at least the above-mentioned reasons. Since similar features recited by independent claim 17, with potentially differing scope and breadth, are not taught or disclosed by the references, the rejection should be withdrawn and claim 17 also allowed.

Further, Applicant respectfully submits that claims 2-16, 19-32, and 37-38, which variously depend from independent claims 1 and 17, should be allowable for at least the same reasons as claims 1 and 17, as well as for the additional features recited therein.

Amended independent claim 33 recites at least:

a triaxial actuator which moves a moving unit in the first and second objective lenses in any of an optical axis direction, a radial direction and a tilting direction

Ueda and Nagashima, taken separately or in combination, fail to suggest or disclose at least the above-recited features of amended independent claim 33.

Ueda illustrates and describes an electromagnetic driving unit 37 for causing movement of the bobbin 36 in *two* mutually perpendicular directions (*Ueda*, col. 5, lines 33-35 and FIGS. 2 and 3). Therefore, Ueda fails to describe all of the above-recited features of amended independent claim 33.

Nagashima fails to compensate for this deficiency.

Accordingly, Applicants respectfully submit that independent claim 33 patentably distinguishes over the cited reference, and should be allowable for at least the above-mentioned reasons. Further, claims 34-36, and which depend from independent claim 33, should be allowable for at least the same reasons as claim 33, as well as for the additional features recited therein.

Dependent claim 11 recites at least:

a grating which diffracts the second and/or third light beams  
emitted from the twin light source into at least three beams;

Ueda and Nagashima, taken separately or in combination, fail to suggest or disclose at least the above-recited features of dependent claim 11.

Ueda illustrates a diffraction lattice 17 located between light source 16 and half-wave plate 20 (Ueda, FIG. 1). Light source 16 is described as a light source for radiating laser light of a short wavelength of 670 nm or less (Ueda, at col. 4, lines 48-52). Ueda further describes laser coupler 31 having unified light emitting and light receiving elements for radiating two sorts of the laser light having different wavelengths (Ueda, at col. 5, lines 35-38). Ueda fails to illustrate or describe a diffraction lattice, or a grating which diffracts the two sorts of laser light emitted from laser coupler 31. Accordingly, Ueda fails to suggest or disclose the above recited features.

Nagashima is directed to an optical head, wherein "transmittance of the light beam to a spot light can be improved by employing an object lens with no grating," and therefore does not suggest or disclose the above recited features.

Accordingly, dependent claim 11 patentably distinguishes over the cited reference, and should be allowable for at least the above-mentioned reasons.

#### NEW CLAIMS:

Applicants submit that new dependent claims 35-38 include additional features that patentably distinguish over the prior art.

#### REQUEST FOR ENTRY IN ACCORDANCE WITH 37 CFR 1.116:

Entry of this Amendment in accordance with 37 CFR 1.116 is respectfully requested because the enclosed amendments either comply with requirements of form expressly set forth in the previous Office Action, or present the rejected claims in better form for consideration on appeal.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
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